



FEDERAL ELECTION COMMISSION
Washington, DC 20463

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MEMORANDUM

TO: The Commission

FROM: Kathleen Guith
Acting Associate General Counsel for Enforcement

Stephen A. Gura
Deputy Associate General Counsel for Enforcement

BY: Mark Allen
Assistant General Counsel *MA*

Delbert K. Rigsby *DKR*
Attorney

RE: MUR 6993 (Van Hollen for Senate, *et al.*)
Circulation of Revised Factual and Legal Analysis and Conciliation Agreement

At the October 18, 2016, Executive Session, the Commission considered the First General Counsel's Report in MUR 6993, dated June 24, 2016, which recommended, *inter alia*, that the Commission find reason to believe that Van Hollen for Senate and Stacey Maud in her official capacity as treasurer ("Committee") violated 52 U.S.C. § 30111(a)(4) and 11 C.F.R. § 104.15 by using contributor information from the Complainant to solicit contributions, and that the Commission find reason to believe that the Committee violated 52 U.S.C. § 30120(a) and 11 C.F.R. § 110.11(a) by failing to include a disclaimer on the letter.

At that Executive Session, the Commission approved our recommendation to find reason to believe that the Committee violated 52 U.S.C. § 30111(a)(4) and 11 C.F.R. § 104.15. The Commission voted to dismiss the allegations that the Committee violated 52 U.S.C. § 30120(a) and 11 C.F.R. § 110.11(a) pursuant to the Commission's prosecutorial discretion under *Hecker v. Chaney*, 470 U.S. 821 (1985). The Commission also directed the Office of General Counsel to revise the Factual and Legal Analysis and the Conciliation Agreement for the Committee, and to recirculate these documents to the Commission.

We recommend that the Commission approve the enclosed revised Factual and Legal Analysis and Conciliation Agreement on a 48-hour no-objection basis.

RECOMMENDATIONS:

1. Approve the attached revised Factual and Legal Analysis for Van Hollen for Senate and Stacey Maud in her official capacity as treasurer.
2. Approve the attached revised Conciliation Agreement for Van Hollen for Senate and Stacey Maud in her official capacity as treasurer.

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